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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 ISAIAH HERNDON,

3:22-cv-00227-MMD-CSD

7 Plaintiff,

8 v.

ORDER RE: SERVICE OF PROCESS

9 RENO POLICE DEPARTMENT, et al.,

10 Defendants.
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12 On September 14, 2022, the court issued an order permitting Plaintiff's complaint to proceed
13 on the Fourth Amendment knock-and-announce claim against Defendants Thomas and Welin and
14 dismissed the Reno Police Department with leave to amend. (ECF No. 4 at 7.) The court gave Plaintiff
15 30 days from the date of that order to file an amended complaint curing the deficiencies noted in the
16 order as to the Reno Police Department. (*Id.*) The court specifically stated that if Plaintiff chose not to
17 file an amended complaint, the action would proceed only against Defendants Thomas and Welin.
18 (*Id.*) Plaintiff has not filed an amended complaint.

20 **IT IS HEREBY ORDERED** that the Clerk of Court shall **ISSUE** summonses for Defendants
21 Thomas and Welin, **and deliver the same**, to the U.S. Marshal for service. The Clerk also shall **send**
22 sufficient copies of the complaint (ECF No. 5) and this order to the U.S. Marshal for service on the
23 Defendants.
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25 **IT IS FURTHER ORDERED** that the Clerk shall **send** to Plaintiff **two (2)** USM-285 forms.
26 Plaintiff will have **thirty (30) days** from the date of this order within which to furnish to the
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1 U.S. Marshal the required USM-285 forms with relevant information as to Defendants Thomas and
2 Welin on each form.

3 **IT IS FURTHER ORDERED** that within **twenty (20) days** after receiving from the
4 U.S. Marshal a copy of the USM-285 form showing whether service has been accomplished on
5 Defendants Thomas and Welin, Plaintiff must file a notice with the court indicating whether
6 Defendants were served. If Plaintiff wishes to have service again attempted on an unserved Defendant,
7 then a motion must be filed with the court identifying the unserved Defendant and specifying a more
8 detailed name and/or address for said Defendant, or whether some other manner of service should be
9 attempted.
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11 **IT IS FURTHER ORDERED** that Plaintiff will serve upon Defendant(s) or, if an appearance
12 has been entered by counsel, upon their attorney(s), a copy of every pleading, motion or other
13 document submitted for consideration by the court. If Plaintiff electronically files a document with the
14 court's electronic-filing system, no certificate of service is required. Fed. R. Civ. P. 5(d)(1)(B); Nev.
15 Loc. R. IC 4-1(b); Nev. Loc. R. 5-1. However, if Plaintiff mails the document to the court, Plaintiff
16 shall include with the original document submitted for filing a certificate stating the date that a true
17 and correct copy of the document was mailed to the Defendants or counsel for the Defendants. If
18 counsel has entered a notice of appearance, Plaintiff shall direct service to the individual attorney
19 named in the notice of appearance, at the physical or electronic address stated therein. The court may
20 disregard any document received by a district judge or magistrate judge which has not been filed with
21 the Clerk, and any document received by a district judge, magistrate judge, or the Clerk which fails to
22 include a certificate showing proper service when required.
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DATED: November 7, 2022.

UNITED STATES MAGISTRATE JUDGE